

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 206 be amended to read as follows:

- 1 Page 3, line 9, after "Act" insert "**requirements**".
- 2 Page 3, between lines 35 and 36, begin a new paragraph and insert:
- 3 "SECTION 2. IC 8-14-1-3 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) **The money**
- 5 **collected for the motor vehicle highway account fund may not be**
- 6 **used to augment the budget of the bureau of motor vehicles**
- 7 **commission.**
- 8 (b) The money collected for the motor vehicle highway account
- 9 fund and remaining after refunds and the payment of all expenses
- 10 incurred in the collection thereof, and after the deduction of the amount
- 11 appropriated to the department for traffic safety and after the deduction
- 12 of one-half (1/2) of the amount appropriated for the state police
- 13 department, shall be allocated to and distributed among the department
- 14 and subdivisions designated as follows:
- 15 (1) Of the net amount in the motor vehicle highway account the
- 16 auditor of state shall set aside for the cities and towns of the state
- 17 fifteen percent (15%) thereof. This sum shall be allocated to the
- 18 cities and towns upon the basis that the population of each city
- 19 and town bears to the total population of all the cities and towns
- 20 and shall be used for the construction or reconstruction and
- 21 maintenance of streets and alleys and shall be annually budgeted
- 22 as now provided by law. However, no part of such sum shall be
- 23 used for any other purpose than for the purposes defined in this
- 24 chapter. If any funds allocated to any city or town shall be used by

1 any officer or officers of such city or town for any purpose or
2 purposes other than for the purposes as defined in this chapter,
3 such officer or officers shall be liable upon their official bonds to
4 such city or town in such amount so used for other purposes than
5 for the purposes as defined in this chapter, together with the costs
6 of said action and reasonable attorney fees, recoverable in an
7 action or suit instituted in the name of the state of Indiana on the
8 relation of any taxpayer or taxpayers resident of such city or town.
9 A monthly distribution thereof of funds accumulated during the
10 preceding month shall be made by the auditor of state.

11 (2) Of the net amount in the motor vehicle highway account, the
12 auditor of state shall set aside for the counties of the state
13 thirty-two percent (32%) thereof. However, as to the allocation to
14 cities and towns under subdivision (1), and as to the allocation to
15 counties under this subdivision in the event that the amount in the
16 motor vehicle highway account fund remaining after refunds and
17 the payment of all expenses incurred in the collection thereof and
18 after deduction of any amount appropriated by the general
19 assembly for public safety and policing shall be less than
20 twenty-two million six hundred and fifty thousand dollars
21 (\$22,650,000), in any fiscal year then the amount so set aside in
22 the next calendar year for distributions to counties shall be
23 reduced fifty-four percent (54%) of such deficit and the amount
24 so set aside for distribution in the next calendar year to cities and
25 towns shall be reduced thirteen percent (13%) of such deficit.
26 Such reduced distributions shall begin with the distribution
27 January 1 of each year.

28 (3) The amount set aside for the counties of the state under the
29 provisions of subdivision (2) shall be allocated monthly upon the
30 following basis:

31 (A) Five percent (5%) of the amount allocated to the counties
32 to be divided equally among the ninety-two (92) counties.

33 (B) Sixty-five percent (65%) of the amount allocated to the
34 counties to be divided on the basis of the ratio of the actual
35 miles, now traveled and in use, of county roads in each county
36 to the total mileage of county roads in the state, which shall be
37 annually determined, accurately, by the department.

38 (C) Thirty percent (30%) of the amount allocated to the
39 counties to be divided on the basis of the ratio of the motor
40 vehicle registrations of each county to the total motor vehicle
41 registration of the state.

42 All money so distributed to the several counties of the state shall
43 constitute a special road fund for each of the respective counties
44 and shall be under the exclusive supervision and direction of the
45 board of county commissioners in the construction,
46 reconstruction, maintenance, or repair of the county highways or

bridges on such county highways within such county.

(4) Each month the remainder of the net amount in the motor vehicle highway account shall be credited to the state highway fund for the use of the department.

(5) Money in the fund may not be used for any toll road or toll bridge project.

(6) Notwithstanding any other provisions of this section, money in the motor vehicle highway account fund may be appropriated to the Indiana department of transportation from the forty-seven percent (47%) distributed to the political subdivisions of the state to pay the costs incurred by the department in providing services to those subdivisions.

(7) Notwithstanding any other provisions of this section or of IC 8-14-8, for the purpose of maintaining a sufficient working balance in accounts established primarily to facilitate the matching of federal and local money for highway projects, money may be appropriated to the Indiana department of transportation as follows:

(A) One-half (1/2) from the forty-seven percent (47%) set aside under subdivisions (1) and (2) for counties and for those cities and towns with a population greater than five thousand (5,000).

(B) One-half (1/2) from the distressed road fund under IC 8-14-8.

SECTION 3. IC 9-15-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. **(a) Subject to the restrictions set forth in subsection (b),** the commission shall do the following:

(1) Develop and continuously update the bureau's policies.

(2) Recommend to the governor legislation that is needed to implement the policies developed by the commission.

(3) Recommend to the bureau proposed rules that are needed to implement the policies developed by the commission and require those proposed rules to be adopted under IC 4-22-2.

(4) Review, revise, adopt, and submit to the budget agency budget proposals for the commission, the bureau, and the license branches operated under IC 9-16, including the budget required by IC 9-16-3-3.

(5) Establish the determination criteria and determine the number and location of license branches to be operated under IC 9-16. However, there must be at least one (1) full service license branch in each county.

(6) Establish and adopt minimum standards for the operation and maintenance of each full service license branch operated under IC 9-16.

(7) Before January 1, 1997, establish and adopt minimum standards for the operation and maintenance of each partial

1 service contractor under IC 9-16. The standards must result in
2 more convenience to the public by providing license branch
3 services at as many walk-up locations as possible without
4 increasing the costs of providing these services.

5 (8) Before March 1, 1997, establish and adopt minimum
6 standards for providing license branch services using telephonic,
7 facsimile, electronic, or computer means under IC 9-16.

8 (9) Administer the state license branch fund established under
9 IC 9-29-14.

10 **(b) The commission may not do the following:**

11 **(1) Close a full service license branch operating under**
12 **IC 9-16.**

13 **(2) Reduce the number of hours that each full service license**
14 **branch operating under IC 9-16 is open to the public."**

15 Renumber all SECTIONS consecutively.

(Reference is to ESB 206 as printed March 23, 1999.)

Representative Liggett